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Newsletter

National Federation of Local Cable Programmers

\$2.50

FCC and ACLU to Appeal Midwest Video Decision

ACCESS IN JEOPARDY

by Joshua N. Koenig, Esq.

On February 21, 1978 the Federal Communications Commission suffered a major setback to its jurisdiction over cable tv operations, while at the same time, the very concept of government mandated community access to cable tv systems was placed in jeopardy. In a case brought against the FCC by *Midwest Video Corporation*,¹ the United States Court of Appeals for the Eighth Circuit (St. Louis, Missouri) issued an 81-page decision which held the FCC had no authority to promulgate rules requiring cable systems to provide access to other parties or to activate a minimum number of cable channels or to have available a basic complement of video production equipment. The decision immediately sent communications lawyers into a frenzy of scurrying about Washington in an effort to determine its full import and future effects.

The court's decision actually settles two separate cases, which were merged. The first was brought by *Midwest Video Corp.*, a major midwestern cable television company, and supported by *TelePrompTer Corp.*, the nation's largest cable company. These companies asked the court to review and overrule the FCC's *1976 Report and Rule Making*, which restructured



and recodified the mandatory access, channel capacity and equipment obligations imposed on all cable tv systems with 3,500 or more subscribers.² A variety of parties joined in defense of the FCC, led by the American Broadcasting Companies. The second case was brought by the American Civil Liberties Union, also challenging the FCC's *1976 Report*. But, while the cable companies argued that the FCC had no business imposing access and equipment obligations, the ACLU, on behalf of local access programmers, argued that the FCC should not have weakened the more stringent access rules originally adopted in 1972.

Inside:

Cable Radio in Knoxville

NFLCP Convention Centerfold

Access Profile: Cape Cod, Massachusetts

Plus Regional Reports, Community Education, Info Matchup, Calendar, and more...

History of Access

In its unanimous decision, the three judge panel³ reviewed the complicated history of the FCC's rules requiring minimum cable programming opportunities. In 1969 the FCC mandated that cable systems with 3,500 or more subscribers originate programs of their own for distribution to their subscribers. This "mandatory origination" could be accomplished by programmers other than the cable company, but under its direction and control. Until that time, the FCC's cable rules were limited to areas more directly linked to its regulation of broadcasting, such as limitations on the importation of distant broadcast signals. The FCC's signal carriage rules were upheld by the U.S. Supreme Court in 1968⁴ on the grounds that they were "reasonably ancillary" to the FCC's

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Letter from the Editors

Dear Reader,

This issue is devoted largely to the Midwest Video decision. We consider this a landmark ruling with such far-reaching implications that if we don't treat it seriously, access as we know it will be over. If the decision stands, access will be purely voluntary, and the cable operator's First Amendment rights in the media will preempt ours.

While the FCC and the ACLU wait to hear whether the Supreme Court will hear the case, the Congressional Subcommittees continue work on the Communications Act rewrite. In the Senate, the Hollings Bill proposes comprehensive cable legislation and includes a mandate for access rules. It is expected to reach the floor late this Spring. The House Subcommittee continues to work towards a June deadline for the first draft of the rewrite. If the Court decides to hear the case, it will do so next winter, simultaneous with Congressional debate on the rewrite.

We urge you to read ours and other articles carefully and to realize what an enormously critical time this is for those of us that care about access and community TV. We ask you to offer help to our Advocacy Committee, to educate your own community as to the issues at stake, and, most importantly, write your Congress people!

Convention Update

Plans for our First National Convention (Madison, Wisconsin, July 6-9) are becoming increasingly specific. A poster is the centerfold of this issue. **Please Post It.** Several special guests have been invited to attend: Red Burns and George Stoney of the Alternate Media Center, New York, Bert Cowlan (Public Interest Satellite Association), Ted Carpenter (advisor to the Carnegie Commission), and representatives from the NCTA, NAEG, FCC, HEW, CPB, and people instrumental in the Midwest Video decision.

Convention Coordinator Gary Knowles has arranged several special events well in advance. Anyone arriving on Wednesday, July 5 is welcome on Gary's weekly program "Live on Six." (Participants are welcome to show tapes but should be in touch with Gary soon.) The opening social event will be a Beer and Braut Banquet at the Convention site next to Lake Mendota, and on Friday night the first screening of the finalists in the "Hometown USA" Film and Video Festival will be the main attraction.

Knowles, a constant access producer for more than six years, is sure that the Convention will attract a variety of interested parties. "Educators, librarians, access producers, and video artists—all will feel perfectly at home," he assured us. "This is analogous to when they formed the Articles of Independence," he continued, "anyone involved with access in any capacity had better come, because the Mayflower of access is leaving port on July 6 and anybody who wants to see the new land better be on board."

This Issue

For a look at an innovative approach to community radio, see "Cable Radio in Knoxville," and readers looking for distribution outlets should read "CACN Experiment Gives Time to Community Groups," page 6. For changes in children's TV, see "Consumer Group Asks for a Kid Vid Curb," and don't miss this issue's Profile of an unusual access situation.

We extend a sincere thank-you to Joshua Koenig, who wrote the carefully thought out story on the Midwest decision, to Nick Thorkelson, who illustrated it, and also to Beth Harrington and Nancy Maloney for their outstanding editorial contribution to the issue.

See you in the next issue,
The Editors

Deadline May 5, 1978. P.O. Box 119, Cambridge, MA 02142

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Black-Owned Cable Radio Successful After First Year

by Gayla Cook

WRKB Radio Knoxville, Tennessee, turned on April 4, 1977, the ninth anniversary of the assassination of Martin Luther King, Jr. WRKB, unique in that it is the only black-owned cable radio station in the country, is available to all 15,000 subscribers of Athena Cablevision.

WRKB is a service of the Knoxville Communications Cooperative (KCC), an organization formed in 1976 to use media for the benefit of the community. Organized on the cooperative model, the station is supported by donations, membership fees, program underwriting, grants and contracts.

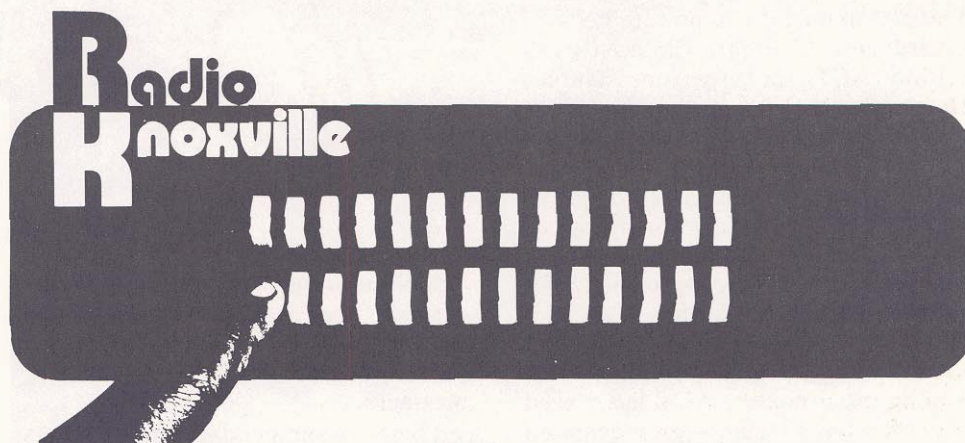
The Community Radio Concept

The Knoxville Communications Cooperative was organized with assistance from the Media Software Program of the Booker T. Washington Foundation (BTW), Washington, D.C. BTW's Gayla Cook and Phil Watson originally presented the community radio concept to several Knoxville citizens, and it has since become the model for other communities.

The idea developed out of the Foundation's concern that less than 20 of almost 9,000 broadcast radio stations in the U.S. are actually owned and operated by the community they serve. Moreover, most are primarily concerned with profit and seldom use

media as a tool for community development.

Human resources have been the most important element supporting the birth and growth of WRKB. Volunteers, some of whom are members of the Cooperative, augment the seven full-time broadcast professionals and Knoxville College work-study students. Through a CETA contract another six people have been trained in program-



ming and other aspects of radio.

In-kind services and donations from community supporters, including office furniture, equipment, painting, engineering expertise, and the offices contributed by Knoxville College permit the station to operate on a shoe-string budget. (The estimated dollar value of donated goods and services and CETA personnel salaries is \$100,000 per year.)

The Board and membership of KCC play an active role in soliciting support. The station's engineering crew—Ron Loving, Emmanuel Bailey, Ed Fields—also serve as KCC officers and other Coop members are frequently called upon to mobilize resources.

General Manager James Pippin emphasizes the need to be constantly in touch with the issues and tastes of potential listeners and to educate the pub-

lic as to the station's goal: to use radio for the enrichment of the community. Pippin, an engineer by training, brought to the station years of experience in radio and in the record business. His managerial skills are key in an operation that has required fundraising and community organizing expertise from the beginning.

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The Editorial Committee established the following editorial policy which was accepted by the Steering Committee at its December, 1977 meeting:

The *NFLCP Newsletter* reserves the right to cut articles due to lack of space. It will publish articles that 1) are of general interest to cable programmers and media access advocates and 2) are of specific interest to NFLCP membership.

The criteria upon which articles are judged to be included in the *NFLCP Newsletter* are clarity, accuracy, fairness to subject, timeliness, newsworthiness, overall organization, and degree to which the article is thorough and complete.

Editorial Collective: Marilyn DeAngelis, Ann McIntosh, Barry McQuilken

Contributors: Susan Bednarczyk, Gayla Cook, Brian Cosgrove, Beth Harrington, Joshua Koenig, Nancy Maloney, Nick Thorkelson

Special thanks to: Susan Siens (typesetting), Urban Planning Aid, STAND, INC., Diane Bohl, Kelsey Thompson, Mike Aronson, Anne Marion

SEE BACK PAGE FOR SUBSCRIBER AND MEMBERSHIP FORM

Consumer Group Pushes for Kid Vid Curb

FTC begins TV rule-making

by Beth Harrington

"Since children, especially when unsupervised by adults may not in all situations be able to discern the credibility of what they watch, they pose an ethical responsibility for others to protect them from their own potential susceptibilities."

—from the National Association of Broadcasters Code Authority, Advertising Guidelines

One of the strongest moves ever made in the history of the Federal Trade Commission is now underway, according to Action for Children's Television (ACT) spokesperson, Maureen Harmony. It hinges on the FTC's philosophic stand that the advertising industry has no right to interfere in the parent-child relationship through its use of over \$400 million worth of yearly advertisements aimed at the nation's children. This posture has come about mostly upon the prompting of ACT, a national consumer-oriented group devoted to upgrading TV fare for kids. Among other causes, ACT has waged an eight-year campaign centered around the issue of "kidvid" advertising.

Up until recently, however, the government took little action. Now, in response to petition drives engineered by ACT and the Center for Science in the Public Interest, the first regulation protecting children against potentially harmful advertising may be near at hand. The FTC has initiated the first stages of a rule-making process to curb advertising to children. Though this rule-making process is complex and lengthy, it is a chance for further thought and discussion of the matter through the publication of the FTC proposal in the March 20 Federal Register, the opening of a three-month comment period, public hearings on the proposed regulations and FTC commissioner debates.

Specifically, the FTC has voted to investigate the possibility of a ban on all ads on television directed at children under the age of eight; a ban on ads geared to children under 12 for "highly sugared products" most likely to cause tooth decay; and a requirement that a

Nick Thorkelson



"disclosure-type" or "counter-commercial" be permitted on television aimed at children under 12 that would provide separate dental or nutritional messages.

These recommendations come as welcome news to consumer groups and as something of a death knell to the advertisers and affiliates, particularly groups like the Cereal Institute, which refers to the FTC recommendation as "a misguided move." Others tend to agree, such as Shaun Sheehan, Na-

Though generally pleased with the Commission's stance, ACT foresees a few problems with the FTC recommendation. The concept of how one defines "highly-sugared products" is an elusive one. And the counter-commercial idea may be difficult to apply or, worse, perhaps self-defeating.

ACT has not confronted just the FTC alone. A petition has also been filed with the Federal Communications Commission to initiate a rule-making to eliminate *all* ads from children's TV

"When do we as a society tell advertisers that they can go after our kids?" says FTC Chairperson.

tional Association of Broadcasters (NAB) spokesperson who says the recommendation amounts to the government dictating to parents how they should conduct their family life through controlling the media.

In opposition, FTC Chairperson Michael Pertschuk says the more correct response should be, "At what age do we as a society permit manufacturers with their sophisticated advertising techniques to intervene in that relationship? When do we as a society tell advertisers that they can go after our kids?"

shows. ACT is calling for a formal inquiry by the FCC to establish whether or not broadcast regulation a la the NAB code has really proved effective in protecting children from media manipulation.

ACT anticipates another two years worth of struggling for public support on the children's advertising issue and urges concerned people to write letters to their representatives in Congress and the Federal Trade Commission, Presiding Officer of Children's Advertising Rule-Making, Washington, D.C. 20580. ■

Access Profile

by Brian Cosgrove

NFLCP Region: Northeast

Access Coordinator:
Bob Daly

Organization:
Cape Cod Cablevision
White's Path Road
Yarmouth, MA

Cable System:
Cape Cod Cablevision

As the "dump access" movement among cable operators gains momentum around the country, it is refreshing to note that at least one operator is not only willing to foster open community access, but has invested nearly a third of a million dollars to actively promote it over the next three years.

The operator's name is Dick Leghorn and his system, Cape Cod Cablevision, has served the towns of Chatham, Harwich, Dennis, Barnstable and Yarmouth in this seacoast resort area of Massachusetts since 1966.

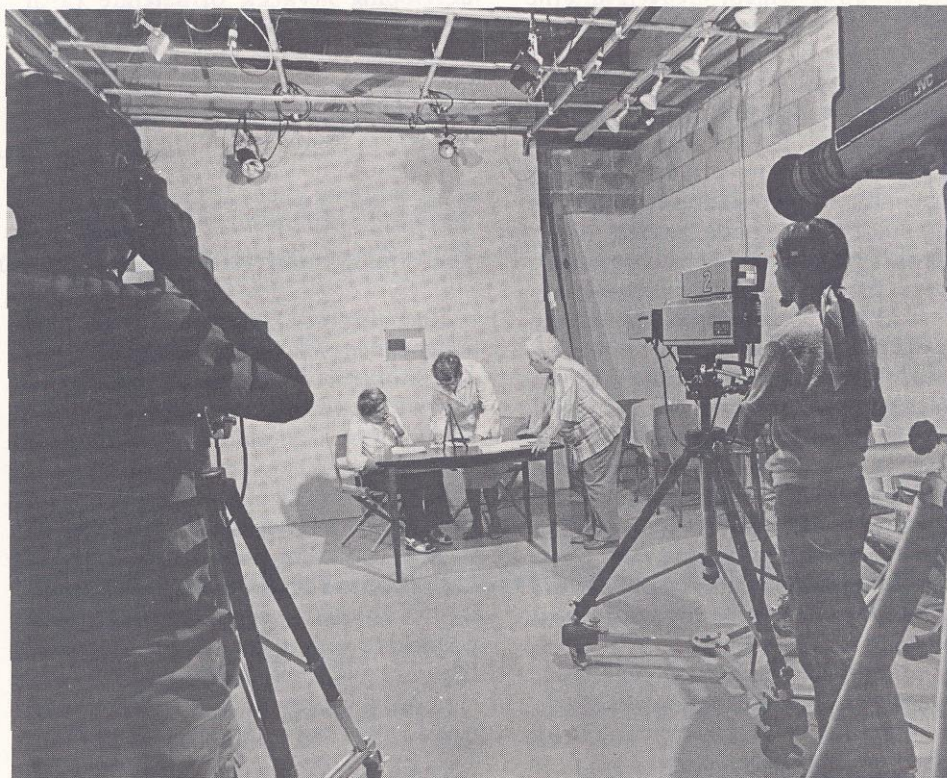
Cape Cod Cablevision operates on Channel 11, and has traditionally provided the typical access services, ranging from live coverage of annual town meetings to remotes of high school sporting events. Beginning last August, however, the format started to change. Leghorn brought in three full-time professionals to work strictly on access, spent \$75,000 for new color studio and portable equipment, and set up an access operating budget of \$75,000 per year for the next three years.

"I was brought here specifically to implement this access program," says Bob Daly, access programming manager, "and I've had backing from Dick every step of the way. He said, 'if we're going to do this, let's do it right,' and he committed \$300,000 to it. This has the potential to be the best access setup in the country."

Leghorn, an MIT graduate, held positions in government and private industry before moving into cable. He operated a cable system in Manatee, Florida before moving to Cape Cod. While in Manatee, he instituted an anti-trust suit against the telephone company which resulted in an FCC ruling that no telephone company could operate a cable television system in any community where it already provided telephone service. Leghorn is highly regarded by his fellow cable operators and is currently a candidate for the Board of Directors of the New England Cable Television Association.

itself.

Daly, whose background is in television and motion picture production, marketing and media sales, says much careful planning went into the opening of the project. "We really worked on raising our visibility, making sure people knew we were here and what we do. We made lots of contacts with the local media long before the opening, and as a result, we got fantastic press coverage. We also invited the selectmen from the local towns to a special opening and explained the entire operation to them." Daly estimates that in the eight months since the project began,



Guest and crew for "Books and the World"

Daly credits a sense of social consciousness for Leghorn's decision to move strongly into access. "The money comes from the rate base. That's the name of the game. It just depends on where you want to spend it and Dick chose to spend it on access," he says.

The system has 22,000 subscribers at present, which represents a market saturation rate of about 57 percent, and charges \$6.95 a month to subscribers. The station's financial analysts predict that if Channel 11 picks up 1500 new subscribers during the three-year pilot project, access will pay for

Channel 11 has received about 1,000 column inches of press coverage, including free publication of program schedules and public service announcements.

The heart and soul of the new approach to access was in recruiting and training access producers, according to Daly. "This approach is unique in that the station took the initiative. There were always factions in town who wanted more access, but a lot of them never showed up when we opened the doors, which is too bad. When we started our producer training program,

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AMC Reports on Intern Program

In "A Report to the Public: Cable Television and Public Need," a one-day conference held this winter at New York University, both industry and community representatives predicted a continuing role for cable television as an originator as well as transmitter of public access and locally-produced programming. The conference was organized by the Alternate Media Center of NYU's School of the Arts to evaluate the results of a four-year, half-million dollar CATV apprenticeship program cosponsored by the National Endowment for the Arts and the cable industry and administered by the Alternate Media Center (AMC).

James Van de Velde, director of programming for TelePrompTer, the nation's largest CATV conglomerate, traced his company's policy changes regarding local programming since the company initiated large investments in studios, equipment and programming efforts in 1972. While economic reverses at one stage almost caused the elimination of local programming, he stated, TelePrompTer, buoyed by an improved economic outlook due largely to the growth of pay cable, is now taking a new look at the situation. "Where interest in the program material can be demonstrated, providing local programming is the key," he added, and when such conditions exist, his company is ready to assist local groups.

Mr. Van de Velde cited Dubuque, Iowa as a city where the new policy can be seen in action; the operation of the studio there has been turned over to a citizens group, while the company continues responsibility for maintenance and equipment. Sue Miller Buske, a former AMC intern in Dubuque and later full-time TelePrompTer employee as a coordinator of local programming, reported on her four-year apprenticeship. While noting the difficulties she experienced when working in a situation where neither the cable company nor local funding bodies would provide the adequate maintenance of equipment or staff continuity that is required for long-term use of cable by the ordinary citizen, she thanked Mr. Van de Velde for his recognition of her group's good work. Ms. Buske stressed the need for appropriate local and na-

tional regulation and increased independent funding to permit such groups to operate on an equal basis with the cable franchise holders.

Telecommunications marketing consultant Harry Newton, discussing the reasons for the recent upswing in cable's economic prospects, concluded that pay cable and satellite transmission caused the rise in cable stocks. Newton predicted that cable companies would increase funds for local programming if convinced that such investment would advance sales. The developing network of satellite earth stations designed to carry pay and non-broadcast programming will, according to Newton, push the industry in the direction of regional, and even nation-

al, transmission of specialized programming. But while giving the viewer a wider choice, this is unlikely to foster the kind of community CATV programming of interest to most local cable users. Although counter to the philosophy of localism upon which the internship program was built, Newton said the most promising future for the hundreds of local independent video producers now looking to CATV is to be found in creating a product that has national appeal.

In opposition, Roger Worboys, New England regional manager of Continental Cablevision, cited his positive experience with strictly local programming, explaining that he views such

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CACN Experiment

New Distribution Network for Independents

Recognizing the excellent work of independent film and video producers, the Booker T. Washington Foundation (BTW) has formed a model for the distribution of arts-related programming. The Community Arts Cable Network (CACN) is designed to demonstrate how cable television can be used to increase both the buying/renting market and the audiences for the specialized, high-quality work of independent producers across the country. To initiate its pilot experiment, CACN is supported by grants from the National Endowment for the Arts and the Eli Lilly Endowment.

The Network will operate as follows: the Foundation will work in various communities to identify local community organizations which will be designated as "Network Affiliates." These Affiliates, whether individual organizations or coalitions of community-based groups, will be given specific blocks of time on local origination (or access) channels. The Affiliates will select their program material from a collection of films and tapes that will be made available to them by BTW's Media Software Program.

In its first year the Network will be confined to three sites and will include no major markets. The three sites will be located in the South: tentatively

identified already are Knoxville, Tennessee and Frankfort, Kentucky. According to Assistant Director Liesel Flashenberg, "We see this becoming a network for films and tapes that are difficult to get distributed through regular channels, but that have relevance and interest for specialized or diverse audiences—minorities, children, women, artists and all those generally attracted to arts and creative community."

At present the Foundation does not have money for outright rental and purchase of films and tapes; however, they do offer producers services in exchange for the use of their work in the pilot: all works will receive local and national publicity, programs will refer viewers to the proper source from which to rent or buy the program, and the Foundation will hold private screenings of programs for members of the communications industry, potential granting and/or contracting agencies, and the trade and general press representatives.

The Foundation is currently screening works and sets no deadline on final selections. Address inquiries to: Liesel Flashenburg, Media Software Program, Booker T. Washington Foundation, 2000 K St., NW, Washington, DC 20006. ■

ALA's Video Cable Section Forms National Network

Based on the regions established by the NFLCP, regional coordinators for the Video and Cable Communications Sections (VCCS) of the American Library Association (ALA) were selected in Chicago at the ALA Mid-Winter Conference. The Regional Coordinators are as follows:

Western Region: **Robert Esteves**, San Francisco Public Library and **Kandy Brandt**, Seattle Public Library; Mountain Region: (not selected yet); Midwest Region: **Marilyn Rehnberg**, Rockford Public Library (Illinois); Southwest Region: **Anne Hollingsworth**, Texas State Library; Southeast Region: **Helen Karpinski**, Memphis Public Library; Mid-Atlantic Region: **Lynne Bradley**, D.C. Public Library and **Arlene Farber Sirkin**, University of Maryland Undergraduate Library; Northeast Region: **Linda Hillman**, South Central Research Library Council.

The purpose of the network is multi-fold. Proposed uses are to:

- identify and build a complete file of names and addresses of all libraries involved in telecommunications work
- recruit members for VCCS and disseminate VCCS information
- report to *Cablelibraries*
- collect comments on issues
- supply information on the Whitehouse Conference and governor's conferences
- exchange tapes
- give quick notice of grants and funds
- interface with NFLCP regional coordinators.

Video Showcase

The VCCS group will host an informal open house on June 25-27 from 8:00-10:00 p.m. during the ALA Summer Conference. Present plans call for showing samples or a maximum of 10 minutes of ½" or ¾" library-produced programs. Tapes may be brought to the Conference or mailed no later than May 1 to: Bob Miller, National College of Education Library, 2840 Sheridan Road, Evanston, IL 60201. All materials must be accompanied by a descriptive sheet which lists: title, producer, topic, running time, availabil-

ity, name and address. In addition, all material must be accompanied by a mailer labeled with return address and postage. Programs will be shown by categories—artistic, educational, community service, etc. Producers of programs are encouraged to attend their screenings so that dialogue and discussion can take place among viewers and producers.

Video Update 1978

VCCS is also planning an official program during the Summer ALA

Conference. Six to eight representatives of a variety of types of libraries including schools will give 15-minute reports of innovative projects involving video and cable, as well as topics and speakers already lined up as follows:

- Roberto Esteves—the development of cable services for the handicapped
- Kandy Brandt—the renovation of a public library to establish a video distribution system
- Arlene Farber Sirkin—dial access media operation in an undergraduate academic library.

Watch for further details as the June conference approaches. ■

NFLCP Requests PBS-Community Video Link

The NFLCP's recent testimony to the Carnegie Commission proposed that community video centers become a working component of the Public Broadcasting System (PBS).

The NFLCP, represented by Sue Buske of Dubuque, Iowa, stressed the need for financial support of community video centers. The testimony also proposed that work done at community video centers become an integral part of PBS programming, with guide-

lines for independent producers.

Other points of the testimony recommended the use of access programs on PBS stations and the sharing of PBS facilities with the public sector.

Buske pointed out the importance of cable as an "emerging technology," gave examples of use in certain model communities and offered NFLCP assistance in the study of the future of cable and public broadcasting systems. ■

8th Annual Summer Institute on the Media Arts

The University Film Study Center in Cambridge, Massachusetts will sponsor the *8th Annual Summer Institute on the Media Arts* from June 25-July 15, 1978 in the Boston area on the campus of Tufts University in Medford, Massachusetts. The *Summer Institute* is an intensive three-week program of courses in the film, video, photography and related media arts that provides a unique opportunity to study with leading artists and critics. Six (6) graduate or undergraduate credits are available.

Production Workshops include: *Filmmaking, Filmmaking/Video-making, Animation, Optical Printing, Video, Multi-media, Black and White Photography, Forms of Color Photography, and Photo Silk-Screen.*

Seminar Workshops include: *Anthropological Film, Film Analysis, Screenwriting, Directing, Contempo-*

rary Photography, The Art of Holography, Film and Video: Art, Politics and Perception, Third World Cinema, and Film Library Management.

Faculty include: Richard Leacock, Jean Rouch, Marie Cosindas, Ed Emshwiller, Frank Daniel, Harriet Casdin-Silver, William Rothman, Robert Breer, Jerome Liebling, Ann McIntosh, Eric Martin, and others, as well as visiting artists and lecturers.

Held at Hampshire College in previous years, the *Summer Institute* is being moved to the Boston area to take advantage of the resources of the city and to make the program available to a wider public. Room and board is also available.

For a complete course description brochure, please contact the Summer Institute, University Film Study Center, Box 275, Cambridge, MA 02138, (617) 253-7612. ■

At this time, there are eight regional groups into which the membership of the National Federation of Local Cable Programmers is divided. All are newly developing, each in its own unique way. This column is the *NFLCP Newsletter's* forum through which each group may express and exchange ideas concerning their regional growth and development.

Now is the time for local cable programmers to develop strong ties through regional meetings. The Northeastern group, in an effort to develop regional awareness in formerly isolated cable producers, has adopted the practice of holding each conference in a different state.

Central States

Regional Coordinator:

Don Smith
Community Channel 7
Monroe County Public Library
303 E. Kirkwood
Bloomington, IN 47401
(812) 339-2271

Responding to a request for information from the 1977 annual report, Randy VanDalsen of WELM-TV, East Lansing, Michigan, reported that WELM had produced the astounding number—960—of programs during the year. VanDalsen also told NFLCP Regional Coordinator Don Smith that his group has added a CVS-510 time base corrector to the system, begun using a sub-band modulator for live remote telecasts, and helped establish the "Michigan Association for Cable Communication Development," an organization formed to encourage the public use of cable TV.

The Video Action Center, Columbus, Indiana, reports two major developments. Through a grant from the Cummin's Engine Foundation the Center has converted to color, and the VAC has moved into a new facility provided by the Indiana Vocational-Technical College. VAC is now seeking funds to make their facilities available to area artists for a nominal fee. Concurrently, the group is completing a

series of programs funded by the Indiana Committee for the Humanities.

In Bloomington, Indiana, Channel Seven continues to expand its activities. In 1977, the access group produced 387 programs and trained 141 people in using equipment. A major new development is the use of video presentations at City Council meetings. Not only are the meetings shown live, but also when various local problems arise—such as zoning or traffic ordinances—tapes of the area in question are shown to the home audience and in the council chambers.

Channel Seven was also responsible for taping a three-day conference on Recombinant DNA Research at Indiana University. Copies of the 20 hours of presentations and discussions will be archived at MIT, Cambridge, Massachusetts.

Channel Seven recently installed its much needed time base corrector, and the Bloomington Telecommunications Council hopes to provide funds for color equipment in the coming months. The Council is working with Monroe Cable Company to expand community use of the expanded capabilities. Suggestions from other communities on technical capabilities are being sought. Send information to: Don Smith, Monroe County Public Library, 303 E. Kirkwood, Bloomington, IN 47401.

The region looks forward to the National Convention in Madison, July 6-9!

Midwestern Region

Regional Coordinator:

Sue Buske
763½ Chestnut St.
Dubuque, IA 52001
(319) 556-1009

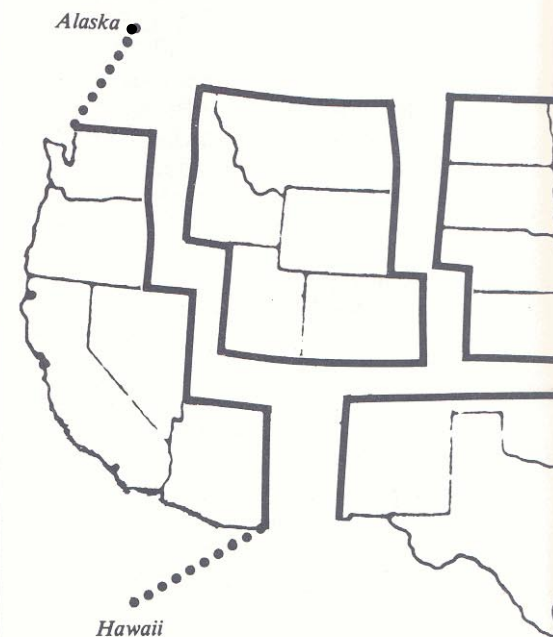
News from the Midwest is exciting. Currently, there are three major cities in the State of Iowa beginning the franchising process, Waterloo, Cedar Rapids, and Iowa City. NFLCP hopes to be able to assist these cities in assuring that franchising proceeds with proper provisions for access.

In late February the Minnesota Cable Commission sponsored a conference entitled *Cable: A Community Re-*

source. The conference was oriented toward cable commissions, professionals, and the general public who are interested in making the most of cable communications.

The opening presentation was devoted to services that can be provided on cable that are beyond the standard service of carrying broadcast signals.

Alternatives for the delivery of cable services to rural areas was the Friday morning focus. A panel of experts spoke on their experiences in cable and related communications facilities in outstate areas. Rod Belsheim, coordinator for Northwest Minnesota Tele-



communications, Inc. moderated the panel. N.W. Telecommunications, Inc. has been instrumental in obtaining funding for the study and improvement of telecommunications in the northwest part of Minnesota.

The ever-present need to find sources for funding local programming efforts was the topic of discussion for a Saturday morning session. Panelists included Joanne Laper, North Central Plains Regional Coordinator of the National Endowment for the Arts, Ed Cain, Federal ESEA title program, and representative of the Minnesota State Arts Bd., Sue Miller Buske, program

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administrator for a Comprehensive Employment and Training Act (CETA) as well as representatives of the Minnesota CETA programs.

Local Programming: National Perspectives was the topic of a presentation by Sue Miller Buske, National Steering Committee Coordinator for the NFLCP. The discussion emphasized access across the nation and different types of access programs, such as senior citizen programming, etc.

Citizens cable advisory groups in Minnesota do more than just write annual reports. Mary Kennedy, chairperson for the Bloomington, Minne-



sota cable advisory group told the conference how that body assisted in the formation of the Bloomington Community Video Center, a nonprofit organization whose goal is to promote the use of the local public access channel.

The Department of Recreation in Dubuque, Iowa, has received a grant from the National Endowment for the Arts to work with Dubuque Community Access Television to establish an editing center for access users in Dubuque.

Justin Galler has been named video artist on the project and will be coordinating grant activities.

Also in Dubuque, Drew Shaffer has been named Access Coordinator for Dubuque Community Access Television. Shaffer holds an M.A. from the University of Iowa and was co-director of ISPIRG (Iowa Public Interest Research Group in 1974).

Far West Region

Regional Coordinator:

Paul Denn

CVC

6225 Federal Blvd.

San Diego, CA 92102

(714) 263-2424

As the *Newsletter* goes to press, the Far West region has set plans for its first regional conference, April 2-3, at the Fort Mason Center, Laguna and Marina Blvd., San Francisco, California. All those interested in community video have been encouraged to attend. The conference coordinators view the meeting as an opportunity for all to meet one another and discuss various ways of working in different communities.

Saturday's schedule includes workshops on federal and local regulation and tape presentations followed by a potluck dinner. On Sunday there will be a discussion on community involvement and a regional NFLCP business meeting.

Northeastern Region

Regional Coordinator:

Sallie Fischer

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Derby, CT 06418

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(203) 735-7075 (evenings, weekends)

Some eighty members and friends of the Northeast Region gathered in Cambridge, Massachusetts on Saturday and Sunday, February 4-5, for a conference which many agreed was the region's best to date.

Gloria Weisman of the National Endowment for the Humanities and Rudy Nashan of the National Endowment for the Arts led an informative work-

shop about the two Endowments. In addition to clarifying the difference between NEH and NEA, Weisman and Nashan explained various funding programs and their relationship to the NFLCP constituency. Information on the structure and federal funding of both was presented as well, and participants indicated the session had given them a much better understanding of the two funding resources.

Video screenings on both days gave tapemakers from Portable Channel (Rochester, New York), Basement Video (MIT, Cambridge, Massachusetts), Southern Connecticut State College (New Haven), Manhattan Cable (New York, New York) and other places an opportunity to share their work with a large audience.

The conference brought together a panel of film and tape makers from throughout the Northeast to discuss the use of those media as tools for social change. The panel included Richard Leacock, independent filmmaker and chairman of the MIT Film Section, Susan Woll of the Boston Film and Video Foundation, Phyllis Joffe of Video Newsreal, Rika Olson of the Boston Media Project, and Maurice Jacobsen, teacher and president of the Independent Video group.

Panelists showed their films and tapes and then led a discussion which addressed the viability of using the media in this way, the political context in which it occurs, and other issues. Ann McIntosh of Cambridge served as moderator for the symposium.

The region addressed business matters on Sunday. Reports from the Community Education and Newsletter task forces were given. Harriet Moss, who is coordinating an effort to develop a regional buying cooperative, reported that a questionnaire about members' needs in this area was being sent out.

In accordance with a mandate from the National Steering Committee, the region held an election for Northeast representative to the NSC. Members chose Phyllis Joffe of Amherst, Massachusetts to succeed Sallie Fischer, who did not seek reelection. Three delegates to the upcoming national

(continued on page 17)

L REPORTS

Community Education

by Jean Rice

Task Force Update

The Continuing Education Committee has been extremely active in the past six months. NFLCP members from around the country have lent their skill, time, and effort to various projects. One of these projects was the Winter 1977 Community Education Packet which contained information on libraries, regulations, and workshops. The Spring Packet will feature articles and case studies on "Financing for Local Cable Programming."

Conferences

NFLCP members have also been giving presentations at several conferences and hearings, including: the National Association of Educational Broadcasters conference where a panel discussed "Cable and Public Broadcasting: How can they cooperate"; the Communities and Telecommunications conference sponsored by the National Commission on Cooperative Arrangements where the topic "Access and Community Colleges" was addressed; and the Carnegie Commission hearings on the future of Public Broadcasting and the emergence of new technologies.

Maurice Jacobson is coordinating NFLCP activities for the upcoming National Cable Television Association (NCTA) conference (April 30-May 3). We will be represented on panels, hold workshops, and have a large access booth. If you are interested in joining us at the NCTA conference in New Orleans, let the Committee know.

Presently the Committee is compiling a "Traveling Showcase" of video tapes that will be shown at the NCTA conference, the American Library Association conference, and the Knoxville Community Technology conference. The NFLCP will also be represented at these conferences to discuss the current status of local cable programming.

National NFLCP Library

We are happy to announce that the South Hadley, Massachusetts Public Library has become the headquarters for the national NFLCP Print and

Video Library. Through the Library you will be able to obtain copies of publications dealing with local programming and video tapes from across the country. The video collection includes 350 tapes that were compiled by the Alternate Media Center since 1972 and recent works by Federation members. This collection includes a cross section of the kinds of programs seen on local cable channels. If you are interested in examples of senior citizen, high school, community information, or arts programming, the NFLCP library is the resource you've been looking for. You will soon be receiving detailed information on this Library.

Also, we are constantly seeking print and video materials to be included in the collection. So, if you have a tape that illustrates an effective live program, a documentary on local housing issues that got a response, a music program, etc. that you would like added to the collection, let us know. The NFLCP Library will make informational and visual exchanges between individuals and organizations from different regions of the country, possible on an on-going basis.

Nationwide Referral System

The Community Education Committee is also starting a Nationwide Referral System. Over the last year, people from around the country have written to us to find out who is involved in deaf programming, what kinds of organizations use access centers, if anyone would be interested in exchanging women's programs, etc. The Committee has been able to make referrals on a limited basis, but we see a need for an organized national referral system. The system will be able to put people with a specialized interest in contact with others involved in similar projects. Also, since the Midwest Video Decision was received, it will be necessary for us to be able to present an overview of local programming activity in the United States. To make the Nationwide Referral System a reality, we need your help. Please put the Committee on your mailing list and send along information on yourself or your organization.

Buying Cooperative

Have you heard complaints lately about the price of adaptors? Well, so have we, and members of the Northeast Community Education Committee have been conducting research to see if it would be feasible to set up a buying cooperative for Federation members. Through a cooperative videotape could be purchased in bulk and would lower the price of tape. Before we can go any further with the planning of this cooperative venture, we need to know what items and services you can use. Harriet Moss of Derby, Connecticut, will soon be sending you a questionnaire soliciting this information. If there is interest in obtaining tape, adaptors, etc. through a buying coop, we will proceed in establishing one. ■

Indiana Students Produce Cable News Show

Junior-high students in South Bend, Indiana are currently being offered an opportunity to write and produce their own television news show through a special joint project in cable TV. The project, Cable Newsroom 3, appears on the public access channel of the local cable company. Cable Newsroom 3 is jointly sponsored by Indiana Cablevision and "The Citizen and the Cable," a project of the Continuing Education Division of Indiana University at South Bend.

The student shows are taped at the studios of Indiana Cablevision and are aired at least twice a week on the access channel. Each junior high school participating in the project is responsible for the complete production of a half-hour news program. Students fill all the staff positions utilized in any actual newscast except for the technical and engineering positions, where they assist the regular cable production staff in their duties.

"The Citizen and the Cable" project coordinator, Lee Turza, says, "Cable Newsroom 3 is an excellent way to initiate the educational community into the uses of access programming. The project provides a real learning experience for the students on several levels—career orientation and journalism for example—as well as demonstrating to the administrators the potentials for local access programming." ■

New Center for Chicago Videomakers

Chicago's independent video producers now have a new center for finishing tapes to broadcast standard at The Chicago Editing Center, 11 E. Hubbard St., Chicago, Illinois.

The center has grown out of more than two years of cooperative ventures by local independent videomakers and is the first non-affiliated, cooperatively maintained video center in the country.

The editing center features low cost, technically proficient editing in both 1/2" and 3/4" formats for videomakers in the arts, journalism, education, social work and community organization. The center also contains a 900 sq. ft. gallery for exhibitions, showings and performances by local and national video artists.

"For all outward appearances, we are a nuts and bolts operation," said Tedwilliam Theodore, Center administrator. "But I'd like to think in the context of what's happening in television, locally and nationally, with access programming, satellite distribution, the revitalization of cable TV outlets, we're setting the stage for independent producers here to have a major impact on what goes out over the airwaves."

The center is set up to encourage innovation in Chicago television, which has always been a receptive if not especially enthusiastic market for "small format" TV programs. *Four More Years*, the TVTV convention documentary, got its first broadcast airing here in 1972 on WSNS-Channel 44 before its national distribution and now locally produced tapes and films are a regular staple in the monthly WTTW "Nightwatch" series that has been running for a year.

Chicago has no cable television, however, the plan to reactivate UHF Channel 20 under the direction of six area colleges, is a good omen for independent producers. Early plans call for supplementing daily educational programs on Channel 20 with large blocks of time for video art and documentaries.

The editing center will be operated as a membership organization, with an anticipated 30 individual producers and at least 10 institutional producers

from not-for-profit organizations. Membership fees will pay about one-third of the operating expenses the first year. Individual memberships are \$75 for three months, institutional memberships are \$150 per quarter.

Other funds for the center have been provided by The National Endowment for the Arts, The Harris Foundation, The Continental Bank Foundation, Roscor Corporation, Bell & Howell Corporation and The Illinois Arts Council. ■

Compubit to Donate Character Generator

Compubit will donate a character generator to the winner of a contest for "the most creative uses of a character generator." The contest will be held at the NFLCP Convention, Madison, WI, July 6-9 and all contest entrants must attend the Convention to win.

The character generator is a tool in use at virtually every cable outlet in the country, but most are not used to their fullest potential, according to industry spokespersons. Manufacturers of data display equipment contend that if you are using it just to run programming notes, fixed ads and public service announcements, you are missing out on a highly flexible and effective means of communicating a wide variety of

useful information, not to mention a good source of advertising revenues.

Originally designed as a replacement for weather display boards, character generators had the added feature that the programmer could also punch in local information from a keyboard. This then gave some versatility but it also required a lot of man-hours.

Now, technology in the field has provided data display units with memory banks capable of storing vast amounts of information which can be retrieved and broadcast according to a pre-set program, thereby increasing the versatility of the medium while cutting down on the number of man-hours needed to operate it.

According to the manufacturers, the cable programmer has a variety of options in designing a system which can be tailored to meet the unique needs of his or her own station. The most important considerations, they say, are balancing the cost of additional memory capability with the cost of manpower needed to program the information; a thorough knowledge of the sources of information available for display; effective use of time (i.e., the area dedicated to stock presentations should be utilized for other information on weekends when stock data is not presented); flexibility in channel usage where display can be expanded to fill unused time or contracted as other programming becomes available; and effective methods of using display for advertising. ■

Midwest Decision

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Footnotes

1. Case No. 76-1496, ____ F.2d ____.
2. *Report and Order in Docket No. 20508*, 59 FCC 2d 294 (May 13, 1976), reconsidered, 62 FCC 2d 399 (December 21, 1976).
3. The very lucid decision was written by the Honorable Howard T. Markey, Chief Judge, U.S. Court of Customs and Patent Appeals, sitting by designation. The decision was supported by the Honorable Roy L. Stephenson, Circuit Judge, and the Honorable William H. Webster, Circuit Judge. Judge Webster (subsequently appointed Director of the FBI) issued a short concurring opinion, in which he refrained from joining Judge Markey's comments on the constitutional issues raised.
4. *U.S. v. Southwestern Cable Co.*, 392 U.S. 157.
5. *Midwest Video Corp. v. United States*,

441 F.2d 1322 (8th Cir. 1971), reversed 406 U.S. 649 (1972).

6. Part 76, subpart G. *Cable Television Report and Order*, 36 F.C.C. 2d 143, aff'd. on reconsideration, 36 F.C.C. 2d 326 (1972).

7. 47 U.S.C. Sec. 153 (h).

8. 418 U.S. 241 (1974).

9. The Eighth Circuit Court also expressed concern that the FCC's access and equipment rules constituted a "taking" of property without "due process" in violation of the Fourteenth Amendment. In addition, the court was distressed by the awkward legal positions in which cable operators were placed by the access rules; they were subjected to possible liability both for the illegal programming of the access users and for any attempts to censor such programming.

10. *Brookhaven v. Kelly*, 428 F. Supp. 1216 (N.D.N.Y. 1977), app. pend. C.A. 2nd Cir.

Midwest Video Decision

(continued from page 1)

statutory responsibilities to regulate broadcasting.

In response to the FCC's 1969 "mandatory origination" rule, Midwest Video Corp. brought suit in eighth circuit in a case ironically similar to the one just decided. In that first *Midwest* case the Court of Appeals (through a different panel) also found the Commission's jurisdiction lacking, but the Supreme Court reversed on appeal.⁵ The Supreme Court, by a 4-1-4 plurality, found its "reasonable ancillary" test to have been met, although Chief Justice Berger, in his sole concurrence, noted that the disputed rule "strains the outer limits" of the jurisdiction originally upheld in *South-*

western Cable Co.

The FCC never implemented the "mandatory origination" rule. Its effect was stayed pending the litigation, and the Commission later determined that its goals could be accomplished in a better manner. In 1972 it adopted the first mandatory access and channel capacity rules.⁶ A bold and dramatic attempt to foster the broadest use of a regulated medium, these rules required all new cable systems in major markets (within 35 miles of any of the top 100 tv market cities) to be constructed with at least a 20 channel capacity (or possibly more because one channel had to be added for each channel used to retransmit a broadcast signal). Such

cable systems were also required to provide four separate dedicated access channels. Existing systems were given only five years to rebuild their facilities if necessary.

In its 1976 *Report*, the FCC withdrew from its 1972 rules. The rebuild obligation was essentially lifted, and systems were permitted to combine access functions onto a single channel. Applicability of the rules was shifted from a "major market" test to a test of size, again 3,500 subscribers. These systems were also required to maintain studio facilities capable of adequate production use.

Because Midwest Video Corp. did not operate within a major market, it never had standing to challenge the 1972 rules. Rather, it assumed an access and equipment obligation for the first time in 1976. In its recent decision,

Quotes From Around the Country

Friday, March 24, the FCC voted 4-3 to appeal to the Supreme Court the Eighth Circuit Court ruling that the Commission is going beyond its jurisdiction in mandating access channels. Shortly thereafter, the ACLU (involved in the decision by virtue of its contention that the 1976 revised access rules fail to consider the interests of access producers and violate the mandate to regulate cable as a common carrier) also decided to appeal.

Although the Court of Appeals' decision was based on the jurisdictional question, the 81-page opinion refers frequently to violation of the cable operator's First and Fifth Amendment rights. This comes as a surprise to access users who have always thought of access as the means by which to *preserve* their First Amendment rights in the electronic media. As explained by ACLU attorney Mike Botein, "What we have here is two competing First Amendment elements: on the one hand there are those interested in diversity and informing the public; on the other hand, those who do not want the government telling a programmer (operator) what to show."

Botein went on to caution that if the Supreme Court decides to hear the case, "there's a fair chance it may uphold the Commission's jurisdiction over cable but write an opinion declaring access requirements unconstitutional, saying that the access rules infringe on the First Amendment rights of operators." Citing the Democratic National Committee case (1974) and the Tormillo case (1975), he pointed out that the present (Berger) Court seems to be leaning more and more towards saying that the government can't impose programming on anyone.

Meantime, the mandate hasn't gone into effect and the FCC has asked for a "stay" while it seeks word on the appeal. *Newsletter* writer Ann McIntosh talked with several interested parties to elicit their opinion on the consequences of the ruling.

"The FCC is concerned with the jurisdictional aspects of the case more than anything else. We need to stand up for our rights and challenge the decision. We don't want to concede on the jurisdictional issue without testing it again. I can't see escaping rebuttal of the First Amendment issue if we get to oral argument."—Jay Rush, Attorney for the FCC.

"This came up at Midwest Video as a result of the 1976 revised rule requiring all systems with more than 3,500 to provide at least one access channel. We feel the Commission overstepped its boundaries. If the decision stands, individual cable operators will have to decide to what extent they will provide time for local access programming, and they may want more editorial control. . . . Midwest still provides access where there's a demand for it. Where access is good business, they'll provide it. If no one watches, they won't."—George Shapiro, attorney for Midwest Video.

"I'm sure there are operators who won't bump access, but anyone who believes in access and has struggled with or fought for it can't afford to rest until there is some kind of law somewhere saying that access is a right which can't be denied."—Sallie Fischer, NFLCP Regional Coordinator.

"Access has been the least important part of cable because it doesn't affect the economic interests of the industry. It's natural for a regulator not to be upset about wiping out access *per se*, when that gets rid of pressure from NCTA, NAB, etc."—Mike Botein, Communications Media Center, New York Law School, ACLU attorney.

"I can't see escaping rebuttal of the First Amendment issue if we get to oral argument."—Jay Rush.

"While the Commissioners suggest their decision to appeal was made on an assessment of the jurisdictional question alone, I take it as an indicator of a commitment to access. . . . Without a Federal mandate access will be hard to develop where there is none now."—David Hoke, NFLCP Advocacy Chairperson. ■

the Circuit Court again accepted Midwest Video's argument that the FCC lacked jurisdiction to impose these rules, either in 1976 or in their original 1972 version.

The FCC's Jurisdiction

The sole basis of the court's decision is its finding that the Commission lacked statutory jurisdiction to promulgate the disputed rules. However, the court goes on to discuss at length disturbing issues under the First and Fourteenth Amendments of the U.S. Constitution.

On the jurisdictional question, the court noted the absence of specific language in the Communications Act of 1934 authorizing the FCC to regulate cable tv operations. The Supreme Court's "reasonably ancillary" test was viewed as strictly limited. In this case the court found that no statutory responsibility over *broadcast* regulation was served by the access and equipment rules. Moreover, the Commission was viewed as attempting to accomplish goals in the cable tv field which it would not or could not accomplish in the field of broadcast. While the Commission could require a cable system to originate programs in order to maintain federal certification (just as broadcast licensees are required to air programs), the commission could not force the cable system to build facilities and turn them over to other parties for their unbridled use while no broadcast licensees are subject to such a requirement. Because the Commission's jurisdiction over cable is directly tied to its broadcast jurisdic-

tion, no basis exists for imposing "common carrier" type obligations on cable systems; the Communications Act specifically states that "a person engaged in radio broadcasting shall not . . . be deemed a common carrier."

In general, the court held that the Commission could not simply identify what it felt to be worthwhile objectives (e.g., the fostering of a new communications medium and the opening of that medium to full community use) and then adopt reasonable rules designed to promote those objectives in the absence of clear Congressional authority. This ruling is consistent with one issued last March by the Federal Court of Appeals for the District of Columbia Circuit (*Home Box Office, Inc. v. F.C.C.*). In the *HBO* decision, the D.C. Circuit ruled against the validity of the FCC's programming rules for "pay-cable" services. That decision was based on a number of findings, including procedural errors and First Amendment issues, but did squarely face the jurisdictional limitations of the FCC's cable regulations. Thus, the recent *Midwest Video* decision was the second instance within a year in which the FCC was told by a Federal Circuit Court that its judicially based cable authority, once thought to be close to unlimited, really extended only to those specific areas originally understood to be "reasonable ancillary" to its statutory jurisdiction over broadcast regulation.

Cablecasting and Free Press

Although the court was careful to limit its ruling on the *Midwest Video*

case to the jurisdictional issues only, its discussion of the case extended to the issues raised under the "free press" and "free speech" protections of the First Amendment of the U.S. Constitution and to the "due process" protections of the Fourteenth Amendment of the decision makes clear that the court's concerns with these constitutional issues permeated its jurisdictional considerations, and that these issues might have been sufficient to support the same result even if statutory jurisdiction had been demonstrated.

"Were it necessary to decide the issue, the present record would render the intrusion represented by the present rules constitutionally impermissible." Slip opinion, p. 65.

The court's concern stems from its conclusion that cable tv system operators and franchisees are entitled, in many respects, to the same First Amendment protections afforded to newspapers and even to broadcast licensees. Moreover, because of the limited nature of the FCC's jurisdiction over cable, and because of the important technical distinctions between the broadcast and non-broadcast services, the FCC's authority to impinge upon the cable operator's freedoms is less than its authority in the broadcast field.

"If the Commission has any authority to intrude upon the First Amendment rights of cable operators, that authority, as above indicated, is less, not greater than its authority to intrude upon the First Amendment rights of broadcasters." *Ibid.*

What the Court Said . . .

The mandatory access, channel capacity, and equipment regulations of the 1976 Report exceed the Commission's jurisdiction because: (1) the statute provides no jurisdiction; (2) the regulations are not "reasonably ancillary" to the Commission's responsibilities for regulation of broadcast television; (3) objectives do not confer jurisdiction; (4) the Commission's ends do not justify its means; (5) the means are forbidden within the Commission's statutory jurisdiction.

We deal here only with *mandatory* access. Nothing in present law or in this opinion precludes a cable system operator from voluntarily providing public access.

* * *

The Commission asserts that it has a mandate to meet the always-with-us "need for additional means of community expression," *Notice, supra*, 53 F.C.C.2d at 790. We

need not determine whether the Commission has such mandate. It is enough to hold that, if it does, it cannot pursue it by forcing broadcasters, cable systems, ham radio operators, pay-TV systems, subscription-TV systems, closed-circuit-to theatres systems, data processors, or any other communications industry, to construct facilities and donate them to anyone who walks in.

* * *

. . . the Supreme Court, [has] established that no person has a constitutional right of access to broadcast television.

* * *

The present access rules, scraped free of argumentative barnacles, require the construction of facilities and their dedication to the public. Presumably, a requirement that facilities be built and dedicated without compensation to the federal government (for public use) would be a deprivation forbidden by the Fifth Amendment. ■

Midwest Decision

(continued from previous page)

The court noted that even in the broadcast field the Commission has never asserted a power to require licensees to make their facilities available to the public. Non-regulated media, such as newspapers, are even more clearly free of such obligations. The decision in *Miami Herald Publishing Co. v. Tormillo*⁸ was cited in this regard. The *Miami Herald* case originated from an attempt by the State of Florida to impose by statute an "access" or rebuttal space obligation on newspapers. After considering the nature of the cable medium, where limited frequency space does not restrict entry, the court appears convinced that the rights of cable operators are closer to those of newspaper publishers than broadcasters. This conclusion is also consistent with that of the D.C. Circuit Court in the *HBO* case.⁹

Future Developments and the Effect on Access

As of this writing it is not possible to predict whether the Eighth Circuit's decision will remain as the final and controlling word on the FCC's access and equipment rules. Both the Commission (and its supporters) and the ACLU may wish to take an appeal to the U.S. Supreme Court. There has already been speculation that the Commission may not seek such an appeal; its appeal (unsuccessful) from the *HBO* decision was on the most limited grounds and, with the substantial leadership changes it has faced in the past year, some have argued that it now welcomes an opportunity to withdraw from its formerly extensive regulatory role in cable tv.

Notwithstanding the validity of the *Midwest Video* decision, it is possible to speculate on its practical effects. First, if valid, it would free all cable systems from any federally mandated access, channel capacity and equipment obligations. For those communities that have relied entirely on the FCC for these commitments, the decision leaves them without any rights to assert.

Second, the cable industry, now celebrating its victory may find a surprising result of the decision is the resurrection of all those access, channel and

equipment obligations which were once negotiated in their franchise agreements, but subsequently thought to be preempted or stricken from these agreements by the FCC. Hence, many communities may now have presently enforceable contract rights in these areas far beyond those they would have had under the FCC rules and of which they may not be fully aware. In addition, even those communities without such rights may now be in a position to insist upon them in negotiations with their franchisees, e.g., in conjunction with the next rate increase or renewal.

Third, the constitutional issues raised by the court cast ominous shadows over any alternative path to replace the FCC's rules with state or local access obligations. If the courts continue to uphold the First Amendment rights of the cable operators in a manner consistent with those of newspapers, then a successful constitutional challenge could be brought against any state statute or local ordinance imposing access commitments on cable systems. It is possible, however, that similar obligations negotiated by contract would be found acceptable. Obviously, there would be only a fine line between these approaches, which the courts would be required to determine in future litigation. For the time being the decision in *Midwest Video* cannot be viewed as interfering with the provision of access on a voluntary or contract basis. This was made explicit by the court itself:

"We deal here only with *mandatory* access. Nothing in the present law or in this opinion precludes a cable system operator from voluntarily providing public access.

"Moreover, the present case involves only the jurisdiction of the Commission to issue its Federal access and equipment rules. The only direct effect of our opinion on the election of local franchising authorities, to require or waive access requirements in the light of community needs and interests, is to free those authorities from the Commission's restrictions, found in 59 F.C.C. 2d at 324-25. 47 C.F.R. Sec. 76.258." Slip Opinion, Note 17, pp. 12-13.

Even within the confines of the *Midwest Video* decision, the FCC's role in promoting access may not be at an end. It may still continue to encourage access and equipment goals on a non-mandatory basis (and it is never wise to

underestimate the power of the Commission's persuasiveness). Moreover, it has been reported that the Commission's staff, in an only partly humorous mood, has recommended the revival of the original 1968 "origination" rules (whose approval by the Supreme Court in the first *Midwest Video* case is still effective). These would force the cable operators (serving 3,500 subscribers) to produce programs or allow others under their responsibility to produce such programs for them. Such rules would have to be coupled with a "local interests" requirement in order to avoid being satisfied merely by buying a nationwide "pay cable" service such as Home Box Office offers.

Other implications of the *Midwest Video* decision will become clear with time. Some will raise difficult questions necessitating actions on a variety of levels in order to make the appropriate adjustments. For example, under New York law (Executive Law section 830) cable operators are exempt from liability for obscene or defamatory statements made by others "pursuant to the provisions of this article [which does not require access] or of federal law or of applicable regulations" The liabilities of cable companies under this section become less clear in the absence of federal access mandates.

Beyond the scope of the subjects litigated, the *Midwest Video* decision may prove to have profound implications on the extent of the FCC's jurisdiction in other areas of cable tv operations. The jurisdictional limitations it professes have already been argued in the pending appeal brought by the New York State Commission on Cable Television against a lower federal court ruling upholding the FCC's preemption of rate regulations in the area of "pay cable" services.¹⁰

For the present, it would be advisable to follow developments with the greatest care. ■

Mr. Koenig is Associate Counsel of the New York State Commission on Cable Television in Albany, New York. He has served in that capacity since mid-1975, before which he worked for over two years as an attorney for the Cable Television Bureau of the Federal Communications Commission in Washington, DC. He is admitted to the New York bar.

Footnotes

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Regional Reports

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convention were also selected. They are Paige Amidon (New York, New York), Marilyn DeAngelis (Revere, Massachusetts), and Bob Vitale (Pittsfield, Massachusetts). Jay April (Manchester, Connecticut), Gail Tolley (Albany, New York), and Phil Bailey (Somerville, Massachusetts) will serve as first, second and third alternates respectively.

Noting that she had now served a year as Northeast Region coordinator, Fischer announced that an election for that position would take place at the next regional meeting. She asked that those interested in the position contact her as soon as possible to learn more about it, and stated that such individuals should help in planning upcoming region activities to get a better sense of the work involved.

Initial plans were made at the meeting for the next regional conference. It will be held in Schenectady, New York in the beginning of June, and members are asked to submit agenda items and workshop suggestions for the conference prior to May 15, 1978.

The region welcomes new members (as of press time (David Alinsky, Nancy Bicknell, Emile Birch, Arthur Blackman, Judith Carrington, Kate Deere, Marilyn Goldstein, Roberta Gordon, Beth Harrington, Barry McQuilken, Carmen McWilliams, Prim Oliver, Dottie Shami, Teedee Spelman, Jan Stackhouse, James Teicher, Charlie Tesch, Gail Tolley, Vic Wheatman, and Helene Zimmerman).

Since the last report we've had some new organizational members as well. They are Basement Video at MIT in Cambridge, Massachusetts, CCATV in Amherst, Massachusetts, Mainstreet Video in Derby, Connecticut, and Media Works in Somerville, Massachusetts. Welcome!

Update on People

Good luck to Kim Spencer and Maurice Jacobsen who are moving to Washington, D.C. where they will be continuing their work in video and participating in Mid-Atlantic Region activities. The same best wishes are extended to Tom Borrup of Vermont who will be working with Community Video Center in San Diego, California.

Mid-Atlantic Region

Regional Coordinator:
Randy Feldman
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Livingston, NJ 07039
(201) 992-1448/7710

As the *Newsletter* goes to press, the Mid-Atlantic is firming up plans for its Spring regional meeting, to be held April 1 in Lebanon, Pennsylvania. Workshop leaders include James Ewalt (FCC Cable Bureau), Gloria Weisman (National Endowment for the Humanities), and a Sony Corporation representative, who will demonstrate the new Betamax system. Diane Evans, Lebanon access coordinator, will assist Regional Coordinator Feldman in planning the agenda and adjacent social events.

The region will also hold its next business meeting on April 1, at which time delegates for the National Convention will be elected.

Randy Feldman, NFLCP Regional Coordinator and access producer in Paterson, New Jersey, reports that he has been appointed project director of the Denville (New Jersey) Community Television Service. The organization is a public access citizens' group funded by the municipality of Denville.

Southeastern Region

Regional Coordinators:
John Schnur and Ron Kemp
Video Tape Workshop
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North Carolina State University
Raleigh, NC 27607
(919) 737-3303

Mountain Region

Regional Coordinator:
Carol Pastos
RR #1, Box 26
Polson, Montana 59860

Southwest Region

Regional Coordinator:
Allan Winter
Austin Comm. Television
P.O. Box 1076
Austin, Texas 78767

We hope to hear from other regions and states about activities in their areas soon and suggest that at *any* meeting the Chair appoint a reporter to summarize the meeting and send it directly to the *Newsletter* editors for the upcoming issue. Without this direct report from you to us, we will not be able to include the information in the *Newsletter*. Response to and suggestions for this column will always be welcome. Send remarks either to the editors or to Sue Buske, Regional Development Coordinator, 763½ Chestnut St., Dubuque, IA 52001. ■

Profile

(continued from page 5)

we had an attrition rate of about 20 percent. Now we ask for a \$5 deposit which is returned if you complete the four weeks, and even though \$5 isn't a lot of money, nobody stiffes us anymore."

The training, which is mandatory before anyone can touch the equipment, consists of four weekly sessions of two and one-half hours. Each would-be producer is interviewed by staff-member Theresa Murphy, a former intern at Manhattan Cable who handles administration and public relations for the access project. Once ideas are discussed and the applicant makes a commitment to produce at least one program, he or she is scheduled for the free four-week production course. Upon completing the course, the applicant receives a producer's card, which allows access to the studio and equipment. Thus far, 230 producers have been trained, 30 more are in training, and there is a backlog of applicants for the course.

Beth Hiron, a graduate of the Syracuse University School of Broadcasting, oversees the technical aspects of the training and coordinates all volunteers. She says the training is essential because of the sophisticated equipment available to producers. The studio, a converted truck garage, consists of two Ikegami ITC 230 color floor cameras, a Satchell-Carlson switcher/special effects generator, and a Russo Studio-master 505 audio board. Field shooting is done with a JVC 4400 color portapak. Editing equipment includes a pair of JVC 8300U editing decks with a TRI EAC edit controller and a Microtime 640 time base corrector.

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Daly, who was cruising around the studio in shoulder-length hair and a three-piece suit, explained his philosophy regarding the producers. "We don't have a video-freak atmosphere here. You know, the attitude that if you don't know everything about video, you can't produce programs and get out of my way, I'm trying to produce video art. We try to make the fellow who is going to produce a puppet show on religion feel as important as the fellow who has a degree in television and is doing a weekly magazine format or the fellow who is a video artist... we've eliminated that whole elitist feeling before it even started."

When a producer has finished taping a show, the staff works with him or her to make sure it has an audience. Each producer is expected to write press releases and produce posters for advertising. "I tell them to identify their audience and let them know when to watch," Daly explains. "After all, the producer is putting in a lot of time and sweat and paying his own gas money. If nobody's out there, he's gone all through that for nothing and it's not worth it."

At the outset, Channel 11 set a goal of 10 hours a week of access programming at the end of the first year. At present, they have 11 hours of access each week, nine of which are original material produced at the station.

A look at a sample schedule of access programming shows that programs cover a range of topics from "Your Dental Health" and "Figure Watchers' Diet Exercise" to "Both Sides of the Footlights" and a "Saturday Night Live" imitation called "Real to Reel T.V." which deals satirically with news items of local interest and, according to Daly, generates some controversy.

"Books and the World," produced by the Cape Cod Writers Conference enjoys a certain advantage over similar programs produced elsewhere in the nation because of the availability of famous authors who make their homes on Cape Cod. Recent guests on the show include Vance Packard and Nathaniel Benchley.

Asked what the station's reaction would be if the newly-trained producers or a coalition of community groups moved to take over access on Channel 11 and run it themselves, Daly replied, "I would wonder why they would want that because I feel we are being equitable. We're not waiting for someone

to come along and say 'we want to run it.' We're saying let's all get together and run it. There's no antipathy here between the producers and the company. The producers identify with us and we identify with them." It is in this spirit that a steering committee has been formed, composed of three producers and Daly. The committee has begun to deal with problems common to all producers, such as getting copy-right releases for music used on sound tracks in access programs. Another idea being considered is forming a corporation of access producers and applying for grant funding.

Daly says the main thrust of the relationship between the producers and the station is to solve problems common to all access users. "We are now trying to get a pool of producers who are willing to be on call to act as crew for other producers. That way we hope to build a feeling of cohesiveness, an atmosphere where people will care whether the other guy succeeds or not." ■

Cable Radio

(continued from page 3)

Programs

The station covers the range of the black diaspora—jazz, gospel, rhythm and blues, oratorical—a selection unavailable on any other Knoxville station. Other programs feature events and explore black community issues inadequately covered in Knoxville's other media outlets. "Black Family in Review" looks at black family concerns with the phone lines open for listeners to call in to guests on the program. "Aesthetics" is hosted by Linda Parris-Bailey (artistic director of a Knoxville drama company), who reviews films, theatre, records and books. There are daily programs on health, job opportunities and religion. The station regularly commemorates dates of historical importance to the black community.

Why Cable Radio?

A cable radio station can be equipped for less than \$15,000, whereas, one could not turn on an over-the-air station for less than \$150,000. Programming over cable radio requires less overall effort than programming a

video channel, and, by being on cable, all of the legal expenses and hassles of obtaining a broadcast license are avoided. The community orientation of the station means that financial and staff support can come from sources in the community, also keeping the operating costs low.

Particularly for minorities, most often excluded from media ownership, a cable radio operation is a valuable training ground for developing professional expertise. The community as a whole benefits from specialized coverage and more listening options.

The role of the Media Software Program of BTW has been to provide the technical assistance needed in the Knoxville area. From initial organization, to fundraising, engineering, management, and programming MSP provided media professionals whose own experiences helped to shape the project. The Foundation hopes to give similar assistance to other communities.

(On March 31 and April 1 KCC held a conference entitled "Humanizing Media Technology: The Community Setting," during which they shared their experience with community groups, policymakers, and outsiders wanting to learn from the Knoxville experience. A report on this in the next issue.—Ed. note.) ■

Gayla Cook is the director of the Media Software Program of the Booker T. Washington Foundation.

AMC... (continued from page 6)
programming as a basic service which the subscriber has a right to demand, but which no cable operator can be expected to provide unless there is matching support from the community at large. Worboys described as "close to ideal" the arrangement Continental has in Dover, New Hampshire, where Nancy Bicknell, a former AMC intern, helped set up and operate a community facility in the public high school. Continental built and equipped the studio; students do much of the work in the facility; maintenance is covered by the school budget, and there is 24-hour-a-day access to the public at large. Ms. Bicknell, coordinator of the community studio, outlined its day-to-day operation pointing out that her success is based on the strong commitment and support received from both cable management and school officials.

(continued on next page)

Info Matchup

Bulletin

Video equipment stolen Urban Planning Aid, a Boston-based agency that provides media services to low income community groups, lost all their video and photography equipment in a break-in during the great blizzard. The equipment, which is listed below, was offered for use free of charge on a first-come, first-served basis. If you have any information about the equipment, please call Mary Tiseo at UPA, 2 Park Sq., Boston, MA 02116, (617) 482-6695.

Panasonic NV-3160 editing deck #K6HK11036; Sony AVp-3650 editing deck #31406; Sony AV-3600 playback deck; Sony AV-3450 new PortaPak camera #017403; Sony AV-3400 new PortaPak deck #28360; Sony AV-3400 old PortaPak camera #27878; Sony AV-3400 old PortaPak deck #28360; Panasonic TR-195M" monitor #FD6630064; Sony 9" TV-monitor #12203; Sony CMA4 camera adaptors (2); Electrovoice 635A microphone; RF unit 63FW; Kodak 850 Carousel slide projector with automatic focus #1610544; Takumar 50mm f/1.8 camera lens #3678618; Vivitar preset 35mm f/2.8 camera lens #71173; Vivitar preset 135mm camera lens #76800.

AMC...

(continued from previous page)

The conference participants agreed that a single channel devoted to "local programming of all kinds," regardless of origins or sponsorship, has multiple advantages and that combining transmission of all community programming, whether public access or local origination, increases the audience for all. The CATV coordinators and former interns also emphasized that an important aspect of the internship program was the unifying and group support it provided while they worked independently in their 24 separate localities in 12 states. The National Federation of Local Cable Programmers was organized in 1976 to continue this kind of support to cable-access coordinators around the country.

"Formation of the Federation is perhaps the prime result of the four-year program," said George C. Stoney, NYU School of the Arts professor and designer of the internship program. "When we started in 1972, I hoped that our interns would be absorbed by the cable companies into management positions where they could influence

Deaf Programming via Satellite The Community Video Satellite Project (CVS) is currently planning a satellite demonstration project on deaf programming. If you have produced programming for the deaf and are interested in discussing and showing your tapes, or would like to see what others are doing, please contact: Paige Amidon, 434 East 72 Street #6, New York, NY 10021, (212) 737-2890.

Publications

Camera Obscura is published quarterly by the **Maine Film Alliance** to provide a coherent forum for the media arts, for visual education, for arts advocacy, for interests of the independent and local producers, and the development of a distribution system for Maine. Subscription: \$2.00 yearly. Maine Film Alliance, Box 4320, Station A, Portland, ME 04101.

Catalogue of video supplies and accessories WIDL Video announces a new third edition loaded with items like video tape, audio cassettes, tape labels, microphones, video cables, audio cables, hard-to-find connectors and adaptors, and a complete assortment of printed video forms featuring brand names like Memorex, Switchcraft, Belden and Amphenol. For a free copy contact: WIDL Video, 5325 N. Lincoln, Chicago, IL 60625, (312) 271-4629.

public access policy. I did not anticipate that in a period of economic stress, management would regard community programming as a potential threat. Fortunately, a good number of the interns had the ability to survive and have made a place for themselves in such independent access organizations as Grassroots in Aspen, Colorado and YCAT in York, Pennsylvania."

The best kind of organization in the future, he suggested, may be to permit citizens the greatest amount of control in exchange for their assuming economic responsibility and, at the same time on a matching basis, to require the cable operators, in exchange for their exclusive franchise, to provide both access to cable time and funds for equipment and personnel.

A report on the four-year Apprenticeship Program will be issued in the spring. For further information, contact Robert Pinto, director, Apprenticeship Program, Alternate Media Center, New York University, 144 Bleeker Street, New York, NY 10012, or call (212) 598-3338. ■

Funding

CAPS Fellowships Up to \$10,000 in film, video, visual arts, etc. in New York. June deadline. For info and application contact: Creative Artists Public Service Program, 250 West 57th St., New York, NY 10019.

The National Endowment for the Humanities (NEH) has announced a June 1 deadline for CATV proposals. The program, handled through the Office of Special Projects, is a new one specifically designed to explore ways the Humanities and CATV can benefit from one another. For more information write: Gloria Weisman, Office of Special Projects, NEH, 806 15th St., N.W., Washington, DC 20506.

Calendar

April 15-17—Indiana Media Arts Festival

This second annual festival is open to all independent producers of work which demonstrates a regard for the creative use of media. Includes films, film, video, synchronous slide tape and multimedia productions. Contact: Indiana Creative Resource Corporation, 116½ South College, Bloomington, IN 47401.

May 12-20—Atlanta Independent Film and Video Festival

Super-8 (magnetic sound/silent), 16mm (optical sound/silent), ¾-inch video (B&W/color). All entries must be accompanied by a completed official entry form plus \$5.00 fee and return shipping and insurance cost. Deadline: April 3, 1978. More info: IMAGE, 608 Forrest Ave., Atlanta, GA 30312, (404) 577-6440.

May 20—Second Annual Maine Student Film Festival and video exhibition

Entry deadline May 1. More info and official entry form write: Maine Film Alliance, Box 4320, Station A, Portland, ME 04101.

June 9—Application deadline for NFLCP video and film festival

Completed official entry form and \$5.00 must accompany each entry. Format: Super 8 (magnetic strip/silent), video (½-inch or ¾-inch). The festival committee will select videotapes and films from the categories: children, women, the arts, the third world, education, senior citizens, special audience, sports, religion, and public opinion/community issues. The festival will take place at the NFLCP conference listed below. More info: Larry Staab, 456 S. Atlantic Ave., Pittsburgh, PA 15224, (412) 683-7590.

July 6-9—NFLCP National Conference

Workshops, seminars, panel discussions, and a film and video festival will highlight the Madison, Wisconsin event. A national business meeting will take place via delegates. Registration fee, \$25 members, \$40 non-members does not include room or board. See centerfold poster. More info: Gary Knowles, 3104 Churchill Dr., Madison, WI 53713.

NFLCP
c/o Sue Buske
763 1/2 Chestnut St.
Dubuque, IA 52001



Chuck Sherwood
271 E. 10th St. #14
New York, NY 10009
NE/IND/NOV78

FIRST CLASS

Become a Member of the NFLCP

Individual membership is \$15 annually. This entitles a member to one newsletter subscription, admission to national and regional conferences at cost, and a reduced rate on all NFLCP informational services.

Organizations and access centers can be members for \$50 annually. This fee includes two newsletter subscriptions, two conference admissions at cost, and all informational services free of charge. It enables your organization to establish relations through the NFLCP to the FCC and other Washington commissions.

Sponsoring members will pay a minimum of \$100, and any sponsor will receive all benefits mentioned above.

In essence, **membership entitles your voice to be heard.**

Subscribe to the NFLCP Newsletter

You may subscribe to the *Newsletter* without becoming a member. Individual subscriptions are \$7.50 annually, and organizations will receive the publication for \$15.

TEAR OUT AND RETURN THIS FORM

Membership (includes newsletter)

Circle one:

Individual \$15 Organization \$50 Sponsor \$100

Subscriber (newsletter only)

Circle one:

Individual \$7.50 Organization \$15

Name: _____

Name: _____ Date: _____

Address: _____

Zip: _____

Telephone: _____

Who Are You?

educator: high school _____ vocational _____ university _____ student _____ public interest organization _____ access organization _____ independent
producer _____ library _____ church _____ press _____ government _____ industry _____ other _____

Check payable to:

National Federation of Local Cable Programmers or NFLCP

Send to: **NFLCP**

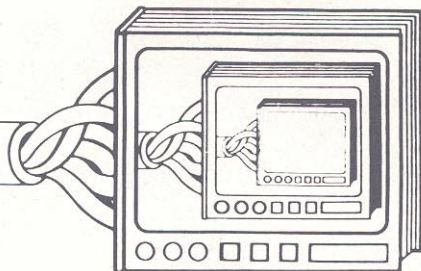
c/o Sue Buske
763 1/2 Chestnut St.
Dubuque, IA 52001

Join Today!

Federation

Trunkline

by Susan Bednarczyk



Welcome, Welcome: A warm greeting to some of NFLCP's newest members—*St. John's United Methodist Church* (Anderson, SC), *USTC of the University of Minnesota* (Minneapolis), *North State Public Video* (Carrboro, NC), *Main Street Video at STAND* (Derby, CT), and *Booker T. Washington Foundation* (Washington, DC)....Our newest Steering Committee member is *Phyllis Joffe* (Amherst, MA), who will be representing the Northeast Region on the 1978-79 committee. It looks as though Phyllis might be heavily involved in the establishment of videotape distribution services for NFLCP members at our national library in South Hadley, MA. Thank you, Phyllis!...Another special thank-you to Sue Buske, NFLCP's new Steering Committee Coordinator and national office organizer.

Getting to Know You: *Rev. Mike Vandirer* of St. John's Methodist Church in Anderson, SC, writes, "Our church began a TV ministry November 1976. Since that time we have averaged about one hour of church programming (usually one Sunday morning service videotaped on Sunday and played back on Thursday) and one hour of community service programming. This is not produced by the local cable TV company—we do it. We play back over the public access channel and have had beautiful cooperation from the local cable people—no charge for *any* telecasting." Hope you have a successful second year, St. John's!...Although there hasn't yet been a meeting for cable programmers in the Rocky Mountain states, that doesn't mean we should forget about NFLCP supporters in that beautiful part of the country. Greetings to cable programmer *Billy Soul* (Lakeside, MT), noted video artist *Dana Atchley* (Crested Butte, CO), *Virgil Grillo* of the University of Colorado Film Studies Dept., and *David Nelson*, the Executive Director

of the Montana Arts Council (Missoula). If any of you are interested in assisting us to sponsor a meeting for cable enthusiasts in your state, contact Sue Buske....Time was when only a few of us knew about others interested in producing for cable. Now our National Office reports two to three letters per day coming in requesting information about NFLCP activities and community use of cable. It certainly would be wonderful to finally meet all of you and all our inquirers face-to-face at the **1978 National Convention** in Madison!!

Broadcasting vs. Cable? No need for these two interests to be adversarial, say many of our members. In fact, *Portable Channel* (Rochester) thinks that a meeting in their fair city in the Fall could introduce regional video/film-makers to the ways they utilize public television and to the potentials for cable programmers in the broadcast area....Speaking of *Portable Channel*, coordinator *John Camelio* was on hand with *Sue Miller Buske* to present programmers' views on the above subject to the Carnegie Commission studying the future of the public TV system in the U.S. Word has it that the Commissioners were most impressed by the thoughtful, professional attitudes of those representing our constituency....In New York City, dedicated volunteers led by AIVF Advocacy Coordinator *Robin Weber* successfully staged a special session before the Carnegie Commission to air the thoughts of NYC-based independents. Bravo to all the presenters and to those hard-working, behind-the-scenes position writers!

Transitions: The *Cable TV Apprenticeship Program* funded by NEA and run out of Alternate Media Center since 1974 has ended. Perhaps a Grand Reunion of the 28 videomakers funded through this program could take place at NFLCP's 1978 convention?...

David Korte (Albany) has moved to Washington, DC to take a position with the Cable TV Information Center. With all his experience in dealing with municipalities and cable franchises at the NY State Cable Commission, David will certainly be an excellent addition to CTIC's staff....Filling the staff position vacated by David Korte in Albany is *Jean Rice*, NFLCP's Community Education Coordinator. As part of her many responsibilities at the Cable Commission, Jean hopes to assist in the activation of innovative programming on the city's municipal access channel with the assistance of *Gail Tolley*....*Tom Borrup* of Vermont has recently moved to sunny San Diego to help coordinate an important public policy conference on the Communications Act Rewrite in late summer. Good luck, Tom....*Maurice Jacobsen* has moved to Washington, DC to establish a videotaping and consulting firm in the Capitol area. Bridgeport will miss you, Jake....*Jane Trimble* is vacating the position of Access Center Coordinator in Bloomington, MN. The organization is looking for a new coordinator. Can anyone be of assistance to them in their search?...*Prim Oliver* has succeeded *Stephanie Stewart* as the coordinator of the access center in Schenectady. Stephanie is currently working as Program Director for a number of cable systems in the vicinity.

Where Would We Be Without: *Carol Brown Eilber* (Madison), who has been assisting NFLCP to plan its 1978 conference....The *NFLCP Newsletter* staff who have continued to produce a top-notch publication for all of us....*Sallie Fischer* and *Ann McIntosh* who put together the most informative, thought-provoking, and fun regional conference for NFLCP yet....*Anita Benda* of the Minnesota State Cable Commission, who is hosting an important statewide meeting on cable very soon....The staff of *Dubuque Community Access TV*—especially those wonderful friends on the senior citizens employment program, who are assisting us with our Community Education mailings and doing such wonderful videotapes, too....All of our *NFLCP members* who are demonstrating that community communications are alive and well and setting a standard for the rest of the industry! ■



The National Federation of Local Cable Programmers

FIRST NATIONAL CONVENTION

★ ★ ★ And ★ ★ ★

“HOMETOWN U.S.A.”

★ ★ ☆ Video Festival ☆ ★ ★

JULY 6-9, 1978

MADISON, WI

SCREENINGS

Registrants are encouraged to bring with them sample tapes and programs. Playback equipment will be available for screening 1/2", 3/4", videotapes and Super-8 film in workshop sessions and in informal groups.

RECREATION

"Hometown U.S.A." Video Festival, a banquet, and a party/celebration, are planned. Swimming will be available in Lake Mendota, just outside the Conference Center. In addition, the cultural, entertainment, and recreational attractions of Madison welcome your indulgence.

ACCOMMODATIONS AND PARKING

Registrants will be responsible for arranging for their own accommodations. University rooms are available for \$17/night single or \$21/night double. Hotels and motels are available and camping information will be sent to those who request it. Parking permits are \$1.50/day and may be purchased on arrival.

"Hometown U.S.A." Video Festival

A national video and film competition is being held in conjunction with the convention. "Hometown U.S.A." is open to all video programmers and filmmakers working in 1/2", 3/4", videotape and Super 8 film formats. Entries may be submitted in the following categories: (1) Children; (2) Women and Minorities; (3) Arts; (4) International Affairs; (5) Education; (6) Senior Citizens; (7) Special Audiences; (8) Sports; (9) Religion; (10) Public Affairs. Deadline for submission is June 9th, 1978. There is a \$5.00 postage and handling fee per film or tape. Winning entries will be screened at the convention and then receive national exposure on the "First National Bicycle Tour". Official entry forms and additional information are available from: "HOMETOWN U.S.A." VIDEO FESTIVAL, Larry Staab-Coordinator, 456 South Atlantic Ave., Pittsburgh, PA 15224 (PH: 412/687-0686).

REGISTRATION

Send to: N.F.L.C.P. FIRST NATIONAL CONVENTION, Wisconsin Center, 702 Langdon St., Madison, WI 53706

Name _____

Organization _____

Address _____

ZIP _____

FEE: \$25.00 N.F.L.C.P. Member / \$40.00 Non-Member / \$40.00 Non-Member but wish to join now at no extra charge /

I will bring videotapes (format _____), Super 8 film _____ would like to participate in a live, phone-in cable program on July 5th at 10:30PM _____ want camping information _____ want to stay in a University room July _____ through _____

FOR MORE INFORMATION: Gary Knowles, Convention Coordinator, 3104 Churchill Dr., Madison, WI 53713 (608/271-7121)

REGIONA



REGIONA

The National Federation of Local Cable Programmers

FIRST NATIONAL CONVENTION



⁶⁶"HOMETOWN U.S.A."⁹⁹



☆ Video Festival ☆



IN COOPERATION WITH THE NATIONAL ENDOWMENT FOR THE ARTS,
THE UNIVERSITY OF WISCONSIN EXTENSION, AND THE CITY OF MADISON, WI.

JULY 6-9, 1978

MADISON, WI

The N.F.L.C.P.

The National Federation of Local Cable Programmers (N.F.L.C.P.) was founded in 1976 by a group of Alternate Media Center (New York) cable interns who saw the need for a national organization that could provide services and support to all who were concerned about access to cable television. In addition, the group recognized the need to educate the public about the availability, development, and utilization of cable access channels.

Since its formation, the N.F.L.C.P. has grown rapidly. Across the country regions have been organized and conferences have been held to monitor the development of cable in the area, to address problems, and to plan for expanded access potential in the future. A national, bi-monthly newsletter has been well received throughout the nation, and services ranging from assistance in FCC matters to developing community education programs are regularly being offered.

First National Convention

The N.F.L.C.P. is presenting this First National Convention to address a number of common concerns that have emerged from the regional conferences. Issues such as "the public's legal access rights", "audience analysis and development", "community access center organization and funding", and "program production techniques" will be addressed. The convention will give video programmers and artists the opportunity to develop contacts, share their works, explore new and developing distribution channels, and become part of a national support system.

WORKSHOPS

The workshop sessions will be led by people who have firsthand experience, valuable insights, and pertinent information to share. Among the topics to be considered in the sessions will be: "Developing a Community Access Center"; "Video Art"; "Working with the FCC"; "Educational Access Projects"; "Working with PBS Stations"; "Minority Programming"; "Satellite Projects"; "Promotion and Press Relations - Getting the News Out"; "Municipal Access Development"; "Set Design for the Small Studio"; "1001 Ways to Fund Your Project"; "Libraries and Cable"; and "Grant Writing Techniques". We expect to have representatives from the National Endowment for the Arts, the National Endowment for the Humanities, the Federal Communications Commission, the Public Broadcasting System, the Department of Health Education and Welfare, and many other federal, state, and local officials interested in the application and potential of access programming.

MEETINGS

Part of each day will be set aside for N.F.L.C.P. delegates to meet in committee. The National Steering Committee will meet on Sunday, July 9th.

Meeting each other is one of the primary reasons for this convention, and ample time will be allowed for interest group gatherings, informal socializing, and impromptu brainstorming.